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PART III.

Legislative Measures and Rules thereunder.

REGULATION No. IX OF 1911.

(Received the assent of His Highness the Maharaja on the 27th day of September 1911.)

A Regulation to amend the Mysore Municipal Regulation, VII of 1906.

Whereas it is expedient to amend in certain respects the Mysore Municipal Regulation, VII of 1906; His Highness the Maharaja is pleased to enact as follows :—

Amendment of clause (*k*), sub-section (1), of Section 48.

1. In Section 48, sub-section (1), clause (*k*), after the words "providing for the exhibition of tables of octroi," the following words shall be inserted, namely :—"requiring a license to be obtained for the sale of any article liable to octroi and prescribing the conditions on or subject to which such license may be granted, refused, suspended or withdrawn."

Addition of a section after Section 77.

2. After Section 77, the following section shall be inserted, namely :—

Penalty for selling articles liable to octroi without a license or for being in possession of any such article on which octroi has not been paid.

"77 A. (1) Any person selling or keeping for sale without a license any article liable to octroi for the sale of which a license is required to be obtained, or having in his possession any such article on which octroi has not been paid, shall be liable, on conviction before a Magistrate, to a fine not exceeding ten times the octroi due on all the articles so sold or kept for sale, or possessed, or rupees one hundred whichever may be greater; and

(2) Any officer of the Municipal Council authorised by the Municipal Council in this behalf, if he has reason to believe that any such article on which octroi has not been paid, is kept or concealed in any premises, may, after obtaining the warrant of a Magistrate, enter and search at any time such premises and, if he finds any such article on which octroi has not been paid, may seize any such article and arrest any person in possession of the same:

Seizure of articles on which octroi duty has not been paid and arrest of persons in possession of such articles.

Provided that any article or person so seized or arrested shall be produced before a Magistrate exercising jurisdiction within the Municipality within twenty-four hours from the time of such seizure or arrest:

Provided also that nothing in this section shall apply to any such article not exceeding Rs. 200 in value kept by any person for the personal use of himself or any member of his family or sold by such person when not required for such use.

(3) The provisions of the Code of Criminal Procedure shall, so far as may be, apply to all searches and arrests effected under this section."

Searches and arrests to be governed by the provisions of the Criminal Procedure Code.

3. After Section 175, the following section shall be inserted, namely:—

Addition of a section after Section 175.

"175 A. The Government may, from time to time, make rules not inconsistent with this Regulation as to the preparation of plans and estimates for works which are to be partly or wholly constructed out of the Municipal Fund and the authority by whom, and the conditions subject to which, such plans and estimates for works may be sanctioned."

Government may frame rules as to the preparation, etc., of plans and estimates for works.

4. In Schedule 1, above the words "for every other vehicle with springs and every palanquin, bicycle or tricycle,.....Rs. 6" there shall be inserted the following, namely:—

Amendment of Schedule 1.

		Rs.
"For every motor car	...	... 30
For every motor cycle	...	... 15"

T. ANANDA ROW,
Dewan.

REGULATION No. X OF 1911.

(Received the assent of His Highness the Maharaja on the 27th day of September 1911.)

A Regulation to amend the Mysore Local Boards Regulation, II of 1902.

Whereas it is expedient to amend the Mysore Local Boards Regulation, II of 1902; His Highness the Maharaja is pleased to enact as follows:—

Short title.

1. This Regulation may be called "The Mysore Local Boards Regulation Amendment Regulation, 1911."

Amendment of clauses (5) and (6) of Section 20.

2. In Section 20 of the Mysore Local Boards Regulation, II of 1902, there shall be inserted, (i) after clause (5), as clause (5) A, the words "tolls and fees leviable under Section 31 A (1) *(g)*," and (ii) in clause (6), the words "or for any of the purposes specified in Section 31 A (1) *(b)*" after the words "in a Union."

Addition of a new section.

3. After Section 31, the following section shall be added, *viz.*,—

Power of District Board to make bye-laws;

"31 A. (1) The District Board may, from time to time, with the previous sanction of Government and with reference to the varying circumstances of different areas subject to its authority, make, alter or rescind bye-laws, but not so as to render them inconsistent with this Regulation or with any other general or special law;

for markets, slaughter-houses, etc.;

(*a*) for the general or special regulation, inspection and control of musafirkhanas, markets, slaughterhouses, all places used by or for animals which are for sale or hire or the produce of which is sold, all places used for offensive or dangerous trade, cart-stands and burial and burning grounds as also for regulating the conduct of business therein and for fixing the rents and other charges to be levied for the use of any of them which belong to the District Board;

for licensing, regulating and inspecting certain business;

(*b*) requiring licenses to be taken and prescribing the conditions on or subject to which and the circumstances in which and the areas or localities in respect of which such licenses may be granted, refused, suspended or withdrawn for the use of any place not belonging to the District Board—

(i) as a slaughterhouse;
(ii) as a market or shop for the sale of animals intended for human food or of meat or of fish or as a market for the sale of fruit or vegetables;
(iii) as a cart-stand;
(iv) for any of the purposes mentioned hereunder:—
(1) for boiling or storing offal, blood, bones or rags,
(2) for salting, curing and storing fish,
(3) for storing hides, horns or skins,
(4) for tanning,
(5) for the manufacture of leather or leather goods,

(6) for dyeing,
(7) for melting tallow or sulphur,
(8) for washing or drying wool or hair,
(9) as a brick, pottery or limekiln,
(10) for soap making,
(11) for extracting oil by boiling,
(12) as a manufactory of sago,
(13) as a distillery,
(14) for storing hay, straw, fodder, wood, coal or other combustible material,
(15) as a manufactory or place of business of any other kind from which offensive or unwholesome smells arise or which may involve risk of fire,

prescribing the fees payable in respect of such licenses and providing for the inspection and regulation of the conduct of business in any place used as aforesaid so as to secure cleanliness therein or to minimize any injurious, offensive or dangerous effect arising or likely to arise therefrom;

for prohibiting use of other than public or licensed markets, slaughter-houses, etc.;

(*c*) directing that no place shall be used as a market or shop for the sale of animals, meat, fish, fruit or vegetables intended for human food or as a slaughterhouse or as a cart-stand or as a burial and burning ground or for carrying out any of the purposes mentioned in sub-clause (iv) of clause (*b*), excepting the public markets or slaughterhouses or cart-stands or burial and burning grounds constructed or opened or places set apart for carrying out any of the purposes mentioned in sub-clause (iv) of clause (*b*), by the District Board, or such other markets or slaughterhouses or cart-stands or places for carrying out any of the purposes mentioned in sub-clause (iv) of clause (*b*) as may have been licensed in writing by the District Board;

for inspecting hotels, etc.;

(*d*) providing for the inspection of hotels, bakeries, sweetmeat shops and other places for the sale of articles intended for human food or drink other than those mentioned in clause (*b*) and for securing the cleanliness of such places and the wholesomeness of the articles prepared, kept or sold therein;

for preventing nuisances in regard to water-supply;

(*e*) regulating the use of and the prevention of nuisances in regard to public water-supply, bathing and washing places, streams, channels, tanks and wells;

for preventing nuisance to public health;

(*f*) preventing nuisances affecting the public health, safety or convenience;

for controlling unwieldy traffic.

(*g*) prohibiting the transit of any vehicles of such form, construction, weight or size or laden with such machinery or other unwieldy objects as may be deemed likely to cause injury to the roadway, or to any construction thereon or risk or obstruction to other vehicles or to pedestrians, along or over any road except on payment of such fees or tolls and under such conditions as to time, mode of traction or locomotion, use of appliances for protection of the roadway, number of

lights and assistants and other general precautions as may be prescribed, either generally or in special licenses to be granted in each case.

Any person infringing any bye-laws made under this Regulation shall be punished with fine not exceeding fifty rupees for each offence, and in case of a continuing offence with a further fine not exceeding ten rupees for each day after written notice of the offence by the District Board. Infringement.

(2) The District Board shall, before making any bye-law under this section, publish in such manner as shall in their opinion be sufficient, for the information of the persons likely to be affected thereby, a draft of the proposed bye-law, together with a notice specifying a date on or after which the draft will be taken into consideration and shall, before making the bye-law, receive and consider any objection or suggestion with respect to the draft which may be made in writing by any person before the date so specified. Publication of drafts of proposed bye-laws.

(3) When any bye-law made by the District Board is submitted to Government for sanction, a copy of the notice published as aforesaid and of every objection or suggestion so made, shall be submitted for the information of the Government along with the said bye-law. Objections and suggestions to be submitted to Government.

(4) The Government may sanction any such bye-law with such modifications as it may think fit, and may at any time cancel or withdraw its sanction to any such bye-law and thereupon the bye-law shall cease to have effect." Government may sanction any bye-law or cancel its sanction.

T. ANANDA ROW,
Dewan.